

Washington, DC— The House of Representatives passed H.R. 5167, The Justice for Victims of Torture and Terrorism Act, co-sponsored by Congressman Joe Sestak and Congressman Bruce Braley (D-IA). The bill was passed by a voice vote. —

Congressman Sestak used a bipartisan approach to achieve a compromise that ensures American service members tortured during the first Gulf War receive their court-adjudicated compensation from Iraq. This is a key step in resolving monetary awards due to Americans who sacrificed greatly to serve their nation. Congressman Sestak reached across party lines to amend the original legislation.

In the 2003 suit brought by 17 American POWs and 37 of their family members, Iraq, Saddam Hussein and the Iraqi Intelligence Service were found liable for \$653 million in compensatory damages and \$306 million in punitive damages.

Late last year, President Bush vetoed the National Defense Authorization Act to prevent the court-approved payment of compensation from Iraq for the American POWs and a group of American citizens who were held as human shields during the Iraqi invasion of Kuwait. The Justice for Victims of Torture and Terrorism Act would give the Iraqi government 90 days to provide fair restitution to the victims or the waiver of immunity for the Iraqi government would be repealed.

“After World War Two, the United States agreed to the Third Geneva Convention on Prisoners of War (POWs), that we would never absolve any state of its liability for illegal torture,” said the Congressman. “In 1991, American POWs were tortured illegally under the rule of law. In the U.S. military, we ensure that our service members know never to stain our nation through the use of torture as our nation would be held liable; similarly, U.S. service members rightfully expect the same in return: if they were to be tortured, the United States government would hold that other nation liable. And this is what this legislation does,” said Congressman Sestak in his remarks on the House floor.

To overcome objections, Congressman Sestak worked to amend the original legislation. As part of the compromise, the claimants have agreed to settle for substantially less than the court-awarded settlement – as they are giving up two-thirds of the compensatory damages and all of the punitive damages. This means that the Iraq government could settle the POW claims

for an overall total of \$255 million, instead of the \$953 million awarded in total.

Congressman Sestak worked with both Congressman Duncan Hunter (R-CA), the ranking Republican Member of the House Armed Services Committee, and Congressman Darrell Issa (R-CA) in bringing the bill to successful vote on the floor. In closing remarks, Congressman Issa thanked Congressman Sestak and Congressman Braley for their bi-partisan efforts on behalf of the victims. He said, "I would like to echo the remarks by Mr. Sestak who, rightfully so, reminded us that the men and women in the Armed Forces in which he and I served, know the rules and the penalties for breaking them. And if post-Saddam Iraq is paying compensation to others, we only ask that they do the same for our men who suffered."

In addition, Congressman Sestak pointed to the significant surplus the Iraqi government has accumulated as a result of the high price of oil, and commercial settlements totaling in excess of \$20 billion that have already been made with a number of foreign companies - including Hyundai of Korea and Mitsubishi of Japan.

Congressman Sestak also believes that resolving this outstanding debt from claims already authorized by a Federal District Court would both improve Americans' public view of Iraq's government, and provide appropriate notification to other states supporting terrorism that the United States will not tolerate abusive treatment of its citizens.

"Each month we spend almost \$12 billion for the War in Iraq," said Congressman Sestak. "And it's time to support the men and women who wore the cloth of this nation, who were tortured during a war, and who had already won a judgment against the Iraqi government."

Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the Congress.

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